

## Nuclear Regulatory Commission

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AUTHORITY: Atomic Energy Act secs. 161, 223, 234, 1312, 1701 (42 U.S.C. 2201, 2273, 2282, 2297b–11, 2297f); Energy Reorganization Act secs. 201, 204, 206, 211 (42 U.S.C. 5841, 5842, 5845, 5846, 5851); Government Paperwork Elimination Act sec. 1704 (44 U.S.C. 3504 note); Energy Policy Act of 2005, Pub. L. 109–58, 119 Stat. 549 (2005).

Section 76.22 is also issued under Atomic Energy Act sec. 193(f) (42 U.S.C. 2243(f)).

Section 76.35(j) also issued under Atomic Energy Act sec. 122 (42 U.S.C. 2152).

SOURCE: 59 FR 48960, Sept. 23, 1994, unless otherwise noted.

### Subpart A—General Provisions

#### § 76.1 Purpose.

(a) This part establishes requirements that will govern the operation of those portions of the Portsmouth and Paducah Gaseous Diffusion Plants lo-

cated in Piketon, Ohio, and Paducah, Kentucky, respectively, that are leased by the United States Enrichment Corporation. These requirements are promulgated to protect the public health and safety from radiological hazards and provide for the common defense and security. This part also establishes the certification process that will be used to ensure compliance with the established requirements.

(b) The regulations contained in this part are issued pursuant to the Atomic Energy Act of 1954, as amended (68 Stat. 919); Title II of the Energy Reorganization Act of 1974, as amended (88 Stat. 1242); and Titles IX and XI of the Energy Policy Act of 1992 (106 Stat. 2923, 2951).

#### § 76.2 Scope.

The regulations in this part apply only to those portions of the Portsmouth and Paducah Gaseous Diffusion Plants leased by the Corporation, per the Lease Agreement between the Department of Energy and the United States Enrichment Corporation. This part also gives notice to all persons who knowingly provide to the Corporation or any contractor, or subcontractor any components, equipment, materials, or other goods or services that relate to the activities subject to this part that they may be individually subject to NRC enforcement action for violation of § 76.10.

#### § 76.4 Definitions.

As used in this part:

*Act* means the Atomic Energy Act of 1954 (68 Stat 919), and includes any amendments to the Act.

*Administrative controls* means the provisions relating to organization and management, procedures, record-keeping, review and audit, and reporting necessary to ensure operation of the plant in a safe manner.

*Agreement State* means any State with which the Commission has entered into an effective agreement under subsection 274b. of the Act.

*Non-Agreement State* means any other State.

*Alert* means events may occur, are in progress, or have occurred that could lead to a release of radioactive material[s] but that the release is not